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EMBASSY OF THE
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THE HAGUE

THE QUESTION OF EAST TIMOR

1. Recently there have been reports of the alleged violations of human rights in East Timor including tortures, disappearances, and many other abuses which are not based on facts and not in line with the reports of the United Nations, the International Committee of the Red Cross, and other foreign visitors to East Timor such as journalists, diplomats members of parliaments. The constant repetition of the allegations have tendency to be in the end perceived as "facts" by an unwary public and even by those who originally fabricated them.

2. It is important to begin with the question of self determination in East Timor of which some public are misled by those who oppose to the decision of the majority of the people of East Timor to integrate with Indonesia. The right to self-determination has been exercised by the people of East Timor when they, through an election in 1976, decolonized themselves and chose independence through integration with Indonesia, in conformity with Resolution 1514 (XV) and Principles VI, VIII and IX of Resolution 1541 (XV). The resolutions stipulate three possibilities of independence i.e. to form a new state, to retain a link with the former colonial power or to integrate with the third country. It was the third alternative which was chosen by the people of East Timor for the decolonization. In doing so the design of those minority elements in East Timor which sought to impose, by force of arms, a fait accompli, were rebuffed by the majority of the people of East Timor.

Thus, far from annexing, invading or occupying another independent state, Indonesia's role in East Timor was precisely one of contributing to that process of decolonization, inter alia, by helping to ensure that the democratically expressed will of the majority of the people not be overruled by the armed and unilateral imposition of a ruthless minority, who posed as revolutionaries, but were in fact collaborators of the colonial power.

3. Aside from the question of self-determination the so-called violations of human rights have been the theme of attacks launched against Indonesia. The attacks and accusations have been intensified lately in the light of the failure of the minority elements and their sympathizers to influence the U.N. both in the General Assembly and in the Commission of Human Rights. Although the Government of Indonesia has repeatedly denied the reports of human rights abuses, allegations of violations continue to be made.

With regard to so-called "disappearances" the United States Department of State Country Reports on Human Rights Practice 1984, Report on Indonesia, indicated that follow up efforts revealed that such individuals "had been taken into the custody of Government authorities . However the number of detainees has dropped sharply and they are usually tried in civil, not in military courts and provided with counsel or may retain their own counsel. They are also afforded the right to appeal and that sworn translators or interpreters are available. Those who are accusing Indonesia of being responsible for the alleged "disappearances" have even cared to mention in their reports that such and such an individual is detained in one prison and the other is in another prison. The fact is that any individual who is acting in violation of the existing law has to be brought before justice according to the existing legal regulations. The U.N. Working Paper prepared by the Secretariat of 1 August 1985 page 7 quoting the Indonesian sources stated

that from December 1983 to March 1985, a total of 154 persons had been tried for violation of criminal code, 128 had been sentenced to prison terms of between 2 and 7 years, and 26 had been sentenced to prison terms of between 7 and 17 years. They also indicated that 50 detainees had been released on 27 April 1985 for lack of material evidence, and that a number of detainees are still awaiting trial. The same paper quoting New York Times stated that "there were only 50 political prisoners awaiting trial (at Comarca Prison) at the end of June" and "70 others had recently been freed".

An understanding has been reached between the Government of Indonesia and the International Committee of the Red Cross (ICRC) concerning the tracing of the alleged missing persons. ICRC undertakes such tracing activities in accordance with its own procedures and principles to which Indonesia has consented. *)

Disputing strongly the reports of Amnesty International on East Timor in June 1985, John Bunton, editor of Nusantara, a monthly review of Indonesian and Southeast Asian Affairs published in Britain, who spoke the same month (21 June 1985) to the Australian Broadcasting Commission as reported by AFP, said that he saw no evidence on the brutality in East Timor as identified by Amnesty International Report. Asked on ABC on how the vast difference in his account of the situation and that of Amnesty could have come about, Mr. Bunton said "the difference is that I have been there, and they haven't. Amnesty had relied on second hand reports" The British writer said that estimates of deaths through atrocities numbering as many as 200.000 or one-third of Esat Timor's population were "absolute nonsense".

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*) Therefore anyone who is interested in the whereabouts of the alleged missing persons should address their request to the ICRC.

A closer estimate would be that given by the Indonesian Government of between 50.000 and 70.000, and most of those deaths had been due to starvation in the hills, Bunton said. He had found also Atauro Island, reputed to be the scene of torture and imprisonment, "one of the most enchanting island I have ever seen". The inhabitants were well fed with their own plots of land, and were able to fish and move about whenever they wished. The East Timorese were "infinitely better off" under Indonesian rule than under the Portuguese, Bunton stated. David Lange, Prime Minister of New Zealand, in an interview with New Zealand Radio on 13 December 1984, after he received a report on the trip to East Timor by his Ambassador to Indonesia, stated inter alia :
"The report shows that the ambassador travelled widely - in fact more widely than he thought he would be able to - that there was clearly evidence of government security activity but no substantial evidence of resistance to it. And indeed, life seemed to be functioning as well as could be expected. Further, human rights situations are being dealt with by court process- and, in fact, rather than the traditional ..... military action against people thought to be insurgents, people are now being put on trial, given effective legal aid and in some cases have been acquitted ..... The ambassador's report shows firmly that there is marked improvement in the quality of life".

Allegations that foreign observers are denied access to East Timor are completely contrary to the facts. International humanitarian organizations, such as UNICEF, UNHCR, the Catholic Relief Service (CRS) and International Committee of the Red Cross (ICRC) and others have been operating in East Timor for many years and some since 1979. Together with the Indonesian Red Cross the UNICEF has been engaged in a special project of basic services for children, mothers and their families, comprising an integrated nutrition, primary health care and community development programme.

The ICRC programme of family reunion and repatriation has also continued. ICRC also continued its programme of relief assistance to Atauro Island, where 1.200 displaced persons are still located. A parliamentary delegation from the Federal Republic of Germany visited the territory from 10 to 23 February 1985 and reported that there were none of the typical trappings of a prison on Atauro. However, the displaced persons were often kept confined to their settlement. Communications between the displaced persons on Atauro and their families continued to be facilitated by ICRC, via the Red Cross message service. Moreover, in April 1985, ICRC visited the region of Ainaro/Dare, in the centre west area of the main island, to assess medical/ nutritional situation of some 600 persons brought back to the region after having been displaced to Atauro Island.

The New York Times questioned in 19 July 1985, as quoted by UN Working Paper on East Timor of 1 August 1985 that "whether human rights groups, which often rely on information from exiles who have been out of East Timor for up to 10 (ten) years, accurately reflect the current situation in their reports".

4. It is important to state that during the year 1984-1985 and even earlier there have been several visits to East Timor by foreign diplomats such as Ambassadors of Canada, Venezuela, Nigeria, New Zealand and Finlandia, Netherlands, Australia and Chargé d'Affaires of the United Kingdom, Deputy Chief of Missions of Japan and France, parliamentary missions such as from Australia, Federal Republic of Germany, Officials of the U.S. Government. In addition, several journalists from Associated Press, Reuters, Asian Wall Street Journal visited East Timor in early March 1985, and journalists from Asia Week, AFP, the Far Eastern Economic Review and the New York Times visited in July 1985. Such visits covered both eastern and western parts of East Timor,

as well as Atauro Island. During the visit, Reuters reported that Indonesia, in its efforts to improve living standards "appears to be winning" the "war against the hunger and proverty" in East Timor. Foreign visitors generally reported that there seemed to be no "significant lack of food and that no signs of malnutrition were evident and that hunger was no longer a serious problem", Reuters added on its second visit on 8 March 1985.

5. As to the development of education in East Timor, the Parliamentary Delegation from the Federal Republic of Germany reported, as quoted by the U.N. Paper on 1 August 1985, that the emphasis are being made on building infra-structures. New York Times also reported that "the rate of literacy was risen from 8 to 60 per cent and the number of primary school to have grown from 47 to 427 in the last nine years". A recent report from the Province of East Timor which consists of 13 Districts (Kabupaten) and 61 Subdistricts (Kecamatan) stated that the Province has about 419 Primary Schools with a total students of 100.637; 43 Junior Secondary Schools with 11.576 students and 8 Senior Secondary Schools with 2.694 students. Asides from those, there are many East Timorese who are studying in various universities throughout Indonesia. Primary Education is conducted in Tetum (one of the local languages of East Timor) up to the third grade, after which as a subject throughout elementary and secondary education, while, Bahasa Indonesia is being used as the language of instruction. This is applied throughout the country according to the existing system of education. However, this does not preclude the development of local languages and dialects promoted by the Government of Indonesia in order to preserve and develop the various cultural heritage existing in many parts of Indonesia.

6. With regard to the religion, an increase in the member of those practising Roman Catholics in East Timor was reported

by AFP, i.e. from 200.000 in 1975 to approximately 500.000 in July 1985. Indonesian Government which under the constitution is obliged to implement the Pancasila ideology, one of which is Belief in God, does not interfere with the development of any religion. It is a fact though that there are not only Christians in the country but also Muslims numbering about 15.000. However, the Government of Indonesia, according to AFP of 10 July 1985, as quoted by the U.N. Paper on East Timor of 1 August 1985, "has shown no sign of seeking to spread Islam in East Timor. Rather, recognizing the nature of the population of East Timor as predominantly Christian is reported to have been sending administrators from other Christian minority groups around the country to East Timor".

7. It is high time for those who profess to champion the humanitarian interest and welfare of the East Timorese to understand that their concerns are not being served by allowing a malicious, strident anti Indonesia campaign to be waged by elements obviously intent on political rather then humanitarian objectives.

Embassy of Indonesia

The Hague

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